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Attorney for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATE OF AMERICA,

Plaintiff,

vs.

KEVIN STUBBS,

Defendants.

CASE NO: 2:13-CR-00381-APG-CWH

MOTION TO WITHDRAW
AS COUNSEL
[Request for Expedited Hearing]

COMES NOW, Defendant, KEVIN STUBBS, by and through his counsel of record,
CRAIG W. DRUMMOND, ESQ., and moves this Honorable Court pursuant to Local Rule IA 1-
6, and Nevada Supreme Court 46, for leave to withdraw as counsel.

This motion is based on the United States Constitution, the Federal Rules of Criminal
Procedure, the attached Declaration, Points and Authorities, all pleadings and papers on file
herein.

As the Defendant remains in pre-trial custodial confinement and as there are pending
motions deadlines, pending requests for release, this is a request that this matter be heard on an
expedited or emergency basis.

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DECLARATION

I, CRAIG W. DRUMMOND, ESQ. in accordance with NRS 53.045 and under penalty of perjury make the following declaration:

1. That I am a duly qualified, practicing and licensed attorney in the State of Nevada and State of Missouri and am the CJA appointed counsel for Defendant KEVIN STUBBS.

2. That there has been a recent complete breakdown of the attorney-client relationship between counsel and Defendant such that counsel can no longer effectively communicate or work with the Defendant to prepare for trial.

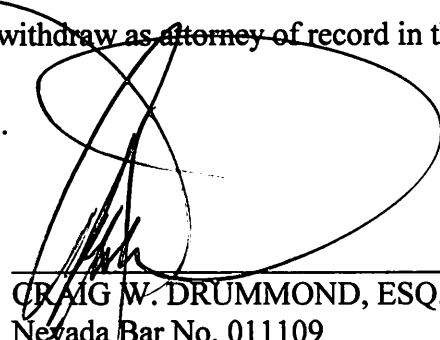
3. That the particulars for the breakdown of the attorney-client relationship can be laid out in detail at a sealed hearing if necessary.

4. That this motion is not being made as a strategic move for purposes of delaying trial, or pending motions hearings, however the Defendant has requested that counsel withdraw and based on recent communications by counsel with the Defendant this is a joint request by counsel and the Defendant to withdraw immediately from any future representation.

5. **As the Defendant remains in pre-trial custodial confinement and as there are pending motions deadlines, this is a request that this matter be heard on an expedited or emergency basis.**

5. That as a result of the aforementioned facts, CRAIG W. DRUMMOND, ESQ., desires for the Court to issue an Order allowing counsel to withdraw as attorney of record in this matter.

DATED this 16 day of December 2013.


CRAIG W. DRUMMOND, ESQ.
Nevada Bar No. 011109
228 South Fourth St., First Floor
Las Vegas, NV 89101
Attorney for Defendant

MEMORANDUM OF POINTS AND AUTHORITIES

I. STATEMENT OF FACTS

Local Rule IA 10-6 allows a Court to consider withdrawal of an attorney with leave of Court after notice to the client and opposing counsel. As declared above, this request is made at the request of the counsel of record, CRAIG W. DRUMMOND, ESQ. It is clear that there are irreconcilable differences that warrant withdrawal. Additionally, as the attorney-client relationship has completely broken down between counsel and Defendant such that counsel can no longer effectively represent and communicate with the Defendant in this matter, counsel requests leave of Court to withdraw. As outlined above, full and specific details of the breakdown between attorney and client can be outlined at a sealed hearing if necessary.

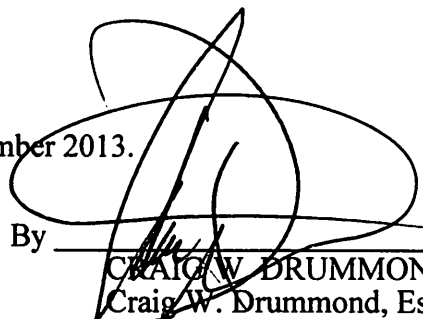
This request complies with Nevada Rule of Professional Conduct 1.16 because “[w]ithdrawal can be accomplished without material adverse effect on the interests of the client” as the client is the one who initiated this request to dismiss, fire, or otherwise have counsel withdraw.

CONCLUSION

Based on the foregoing, Defendant and counsel requests that leave of Court be granted for counsel to withdraw as counsel of record

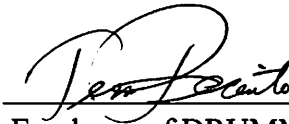
DATED this 16 day of December 2013.

By _____


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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 16 day of December, 2013, the undersigned served the foregoing MOTION TO WITHDRAW AS COUNSEL on all counsel herein by causing a true copy thereof to be filed with the Clerk of Court using the CM/ECF system, which was served via electronic transmission by the Clerk of Court pursuant to local order



Employee of DRUMMOND & NELSON LAW FIRM

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